

REMARKS

Claims 49-55 and 59 are pending, with claims 49, 52 and 59 presently amended. Applicants thank the Examiner for the many courtesies extended to the applicants and their representative during several personal and telephonic interviews. Agreement was ultimately reached on an amendment to claim 49 to overcome a rejection under 35 U.S.C. §112, second paragraph. That agreement is embodied in the current amendment to the claim. Claim 52 has also been amended. This amendment was previously proposed in response to the Final Office action but not entered. Claim 59 has been amended to revert the claim to a previous version. No new matter is included in any of the amendments.

Entry of this amendment is proper under 37 C.F.R. §1.116 because this amendment: (a) places the application in condition for allowance; (b) does not raise any new issue requiring further search and/or consideration because the amendment amplifies issues previously discussed throughout prosecution; (c) does not add claims without deleting an appropriate number of claims and (d) places the application in better form for appeal, should appeal be necessary. This amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of this amendment is thus respectfully requested.

The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants reserve the right to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

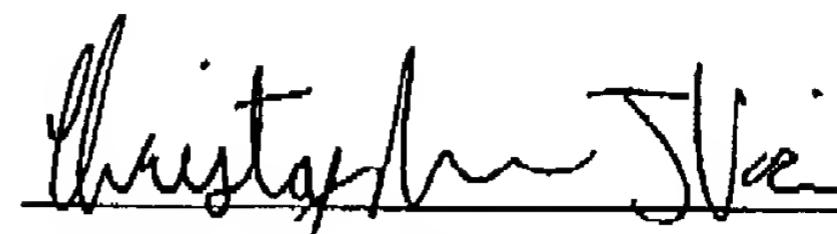
Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent.

After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

CONCLUSIONS

In view of Applicants' amendments and remarks, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 593-9900.

Applicants believe that a one month extension is due at this time. On May 10, 2004, Applicants filed a response to the March 10, 2004 final office action, entitling the Applicants to an Advisory Action. The Examiner did not issue the Advisory Action until June 17, 2004. Consequently, the shortened statutory period for response did not end until June 17, 2004. Thus, a response with a one month extension was available until today with the roll over due the weekend. Please charge the extension fee to Deposit Account No. 50-0496. If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-0496 for any fee which may be due.

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